

# **Business Impact Estimate**

AN ORDINANCE OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA, SPECIFICALLY REVISING CHAPTER 94 – SOLID WASTE, ARTICLE I – IN GENERAL; REVISING SEC. 94-1 - DEFINITIONS TO UPDATE DEFINITIONS OF LANDCLEARING DEBRIS AND YARD WASTE AND ADD DEFINITION OF PROOF OF ORIGIN. REVISING ARTICLE II – SOLID WASTE COLLECTION AND RECYCLING; REVISING SEC. 94-49 – YARD WASTE COLLECTION TO ADD PAYING APPLICABLE FEES AND CHARGES AND REQUIRING PROOF OF ORIGIN OF WASTE; REVISING SEC. 94-76 – CONSTRUCTION, DEMOLITION, LANDCLEARING DEBRIS TO INCLUDE PAYING APPLICABLE FEES AND CHARGES AND REQUIRING PROOF OF ORIGIN OF DEBRIS; REVISING SEC. 94-91 – COLLECTION AGREEMENTS AND PERMITS TO USE THE TERM CONTRACTS IN PLACE OF AGREEMENTS AND SPECIFY SELECTION OF COLLECTION CONTRACTOR THROUGH SOLICITATION OF COMPETITIVE BIDS; REVISING SEC. 94-93 – ROLL-OFF COLLECTION SERVICE PERMIT APPLICATION, FEES, DURATION TO ADD REQUIRING PROOF OF A CURRENT BUSINESS TAX RECEIPT AND LIMITING PERMIT TERM TO ONE YEAR; REVISING SEC. 94-97 – GENERAL PERMIT CONDITIONS TO ADD UPDATED INSURANCE REQUIREMENTS AND REQUIRING PROOF OF ORIGIN OF DEBRIS. REVISING ARTICLE IV – SPECIAL ASSESSMENTS, SERVICE FEES, AND IMPACT FEES; REVISING SEC. 94-236 – SPECIAL ASSESSMENTS AND SERVICE FEES PRIOR TO INITIATION OF FIRST FULL YEAR ANNUAL SPECIAL ASSESSMENTS AND SERVICE FEES; PAYMENT OF PRORATED SPECIAL ASSESSMENTS AND SERVICE FEES; DISCHARGE OF LIEN TO ADD THE OPTION OF INCLUDING PRORATED ASSESSMENT AMOUNT TO THE BUILDING PERMIT FEE IN LIEU OF INDIVIDUAL INVOICE; REVISING SEC. 94-242 – EXEMPTION APPLICATION; FILING DATE; REVIEW; DENIAL; APPEAL; REVOCATION TO AMEND EXEMPTION FILING DATE; REVISING SEC. 94-245 – VACANCY ADJUSTMENTS FOR IMPROVED REAL PROPERTY FROM ANNUAL ASSESSMENTS AND SERVICE FEES; CRITERIA TO AMEND VACANCY PERIOD; REVISING SEC. 94-246 – VACANCY ADJUSTMENT PETITION; FILING DATE; REVIEW; DENIAL; APPEAL TO AMEND FILING DATE; REVISING SEC. 94-277 – LANDFILL GATE ACCOUNTS, PAYMENT OF DEPOSITS, SPECIAL RATES; DELIQUENCY; COLLECTION; EXEMPTIONS TO REMOVE SECURITY DEPOSIT EXEMPTION. REVISING ARTICLE V – HAZARDOUSE WASTE MANAGEMENT; REVISING SEC. 94-286 – DEFINITIONS TO UPDATE CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR TO VERY SMALL QUANTITY GENERATOR. DELETE ARTICLE VII – DEBRIS REMOVAL FROM PRIVATE RIGHT OF WAY AND OTHER PRIVATE PROPERTY.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption may apply, Brevard County hereby publishes the following information:

1. Summary of the proposed ordinance: The proposed ordinance accomplishes the following:
  - a) Correct scrivener's errors (all sections).
  - b) Replace the word "Agreement" with "Contract" (all sections).
  - c) Amend definitions of Landclearing Debris and Yard Waste and update to include a definition of Proof of Origin (Section 94-1).
  - d) Amend ordinance regarding Yard Waste collection to include paying applicable fees and charges and require proof of origin of debris (Section 94-49).
  - e) Amend ordinance regarding disposal and removal of Construction and Demolition Debris and Landclearing Debris to include commercial properties paying applicable fees and charges and require proof of origin of debris (Section 94-76).
  - f) Amend and update ordinance regarding collection contracts to specify selection of collection contractor through solicitation of competitive bids (Section 94-91).
  - g) Amend ordinance regarding roll-off permit application requirements to include proof of a current Business Tax Receipt and limit permit term to one year (Section 94-93).
  - h) Amend ordinance regarding roll-off permit conditions to include updated Brevard County Risk Management insurance requirements and require proof of origin of debris (Section 94-97).
  - i) Amend ordinance regarding prorated special assessments to include option of adding the prorated assessment amount to the next full year assessment in lieu of individual invoice (Section 94-236).
  - j) Amend ordinance regarding collection exemptions to adjust filing date (Section 94-242).

- k) Amend ordinance regarding vacancy adjustments to revise vacancy period (Section 94-245).
- l) Amend ordinance regarding vacancy adjustments to revise filing date (Section 94-246).
- m) Revise ordinance regarding gate accounts to remove security deposit exemption (Section 94-277).
- n) Update hazardous waste definitions to reflect current state and federal definitions (Section 94-286).
- o) Delete Article VII – Debris Removal from Private Right of Way and Other Private Property due to being moved to Brevard County Code of Ordinances Chapter 42 – Emergency Services (Section 94-330 through 336).

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the County, if any:

a. An estimate of direct compliance costs that businesses may reasonably incur: Estimated \$2,500 per year for vegetative waste disposal per business.

b. Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: \$200 per year roll-off permit fee (for roll-off service providers only). Per-ton charge for vegetative material disposal.

c. An estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: Costs – none, Revenue – approximately \$8,000,000 annually.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: Approximately 11,095

4. Additional information the governing body deems useful (if any):

Brevard County Code of Ordinances Chapter 94 – Solid Waste was last updated in 2014. Since that time, conditions in Brevard County have significantly changed. As such, the Ordinance requires several updates and revisions to ensure a robust Solid Waste Management System that can expand with the growing disposal needs of Brevard County. The estimated \$8,000,000 annual revenue will allow the County to avoid sweeping solid waste disposal assessment increases to Brevard County residents that would otherwise be needed by focusing on users paying their fair share of costs. It should be noted that landclearing gate charges were being circumvented or not

collected at the scale-house and amendments to the ordinance clarify procedures and provide a remedy.